



American Congress on Surveying and Mapping

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The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: Comments on NTIA Letter Regarding LightSquared Conditional Waiver.
IB Docket No. 11-109, DA 12-214

Dear Chairman Genachowski:

On behalf of the American Congress on Surveying and Mapping (ACSM) and the National Society of Professional Surveyors (NSPS), I am submitting these comments on the recent NTIA letter regarding LightSquared's conditional waiver.

ACSM and NSPS members include licensed professional surveyors in all 50 states. Surveying professionals have been concerned about the detrimental effects LightSquared's proposed plan would have on high precision GPS, including the millions of people who depend upon the data obtained through the work of surveyors using high-precision GPS receivers. We agree with the conclusions the National Telecommunications and Information Administration (NTIA) reached in its letter of February 14, 2012. I would like to address in greater detail two areas of the NTIA letter that greatly affect our members and those who utilize the data they provide; High-Precision and Precision Timing Applications, and GPS Receiver Standards.

High-Precision and Precision Timing Applications. The NTIA reasoned that since LightSquared and the federal agencies have been unable to resolve the interference issues associated with personal/general navigation and aviation GPS receivers, there is no reason for federal agencies to undertake the expense and resource commitment to test high-precision and precision timing GPS receivers at this time. While we support this conclusion, we also believe that at some point Federal agencies would need to develop and execute a plan to test and analyze the affects terrestrial operations similar to what LightSquared has proposed would have on high-precision GPS receivers. This issue should not be left unresolved until a situation similar to what we faced with LightSquared arises again. Please plan and execute these tests sooner rather than later.

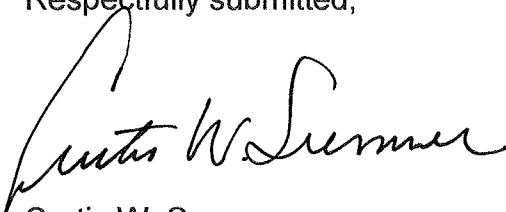
GPS Receiver Standards. ACSM and NSPS members support the move by Federal agencies to develop and establish new GPS spectrum interference standards that will help inform future proposals for non-space commercial uses in the bands adjacent to the GPS signals and ensure that any such proposals are implements without affecting existing and evolving uses of space-based PNT services. Our members would like to participate in the discussion and formation of these standards because we can add a professional-user perspective that may not be found from others. As noted above, our members are concerned with interference to high-precision GPS devices. It is in this area where we can lend our expertise.

Additionally, ACSM and NSPS members support the following actions proposed by the FCC: (1) vacation of the Conditional Waiver Order, due to LightSquared's inability to address satisfactorily the legitimate interference concerns surrounding its planned terrestrial operations, and the appearance that the Interference resolution Process has no real prospect of being successfully completed by LightSquared in a reasonable period of time, and (2) modification of LightSquared's satellite license pursuant to section 316 of the Communications Act to *suspend indefinitely LightSquared's underlying ATC authorization*.

ACSM and NSPS believes that the FCC and GPS community cannot move forward to resolve potential interference standards until the LightSquared waiver is suspended, vacated or revoked entirely. As long as LightSquared has the authority through its license to demand more tests and bring numerous petitions and actions for reconsideration, ACSM and NSPS members --- who use high-precision GPS receivers as an essential part of their business --- are forced to run their businesses in uncertainty, unsure whether they will need to invest thousands of cash reserves in new, or retrofitted, GPS receivers that would be needed in the event LightSquared's operations disrupt high-precision GPS usage. During the past year, many surveying businesses (small and large) held off hiring new employees, expanding or even competing for new contracts because of the financial uncertainty the LightSquared proposal posed. The FCC's proposed actions allow surveying businesses --- and other businesses that use high-precision GPS receivers --- to concentrate on growing their businesses without the fear of financial repercussions from LightSquared's proposed plans.

In conclusion, the American Congress on Surveying and Mapping and the National Society of Professional Surveyors support the conclusions set forth in the February 14, 2012 NTIA letter and we support the proposed actions of the FCC in response to that letter. We remain available to assist the FCC and other relevant Federal agencies as they work to develop and establish GPS receiver standards.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Curtis W. Sumner". The signature is fluid and cursive, with a large initial "C" and "S".

Curtis W. Sumner
Executive Director

American Congress on Surveying and Mapping/National Society of Professional Surveyors